

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

Bail Appl..No. 1604 of 2007()

(CR.NO.33 OF 2007 OF ADHUR POLICE STATION)

PETITIONERS:

1. K.SUDEESH KUMAR, S/O.BALAKRISHNAN,
CHOTTATHOL, KUTTIKOLE VILLAGE, KASARAGOD TALUK,
KASARAGOD DISTRICT.
2. K.SREEKANTH, S/O.KUNHIRAMAN NAIR,
AMA, MUNNAD VILLAGE, KASARAGOD DISTRICT.
3. C.SUJEESH, S/O.M.C.NARAYANAN,
CHETTANJAL, KUTTIKOLE VILLAGE,
KASARAGOD DISTRICT.
4. C.MANIKANTAN, S/O.KUNHIRAMAN @
CHETTIRAMAN, CHOTTATHOL, KUTTIKOLE VILLAGE,
KASARAGOD TALUK, KASARAGOD DISTRICT.
5. CHANDRAN @ K.JAYACHANDRAN,
S/O.KRISHNAN NAIR, VAVADUKAM, KOTOM,
BELLUR VILLAGE, KASARAGOD DISTRICT.
6. M.K.SREEDHARAN, S/O.H.MUNDAN,
KOLIKUNDU (H), KUTTIKOLE, KASARAGOD DISTRICT.

BY ADV. SRI.M.SASINDRAN

RESPONDENTS: COMPLAINANT AND STATE:

1. STATE-REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.
2. THE STATION HOUSE OFFICER,
(CR.NO.33 OF 2007 OF ADHUR, POLICE STATION),
KASARAGOD DISTRICT.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1604 OF 2007 A

Dated this the 19th day of March, 2007

O R D E R

Petitioners, who are accused Nos.1, 4 and 5 to 8 in Crime No.33/07 of Adhur Police Station for offences punishable under sections 143, 147, 148, 341, 324, 307, 302 and 427 read with section 149 IPC, seek their enlargement on bail. The occurrence took place at about 11 p.m. on 9.2.2007. Accused Nos.5 and 8 were arrested on 12.2.07 and the others were arrested on 26.2.07.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 11 p.m. on 9.2.07 when the defacto complainant and his friends reached the Sree Mahavishnu Temple at Nellithattu in Adhur village in connection with the festival of the temple, accused Nos.1 to 8 and 15 identifiable persons armed with deadly weapons like knife, stick, etc. attacked the group of the defacto complainant during which one Radhakrishnan was stabbed to death and four others sustained grievous injuries.

4. It is too early to accept the petitioners' contention that the group of the deceased were the aggressors. Tension still prevails in that area. Having regard to the present stage of the investigation and other circumstances of the case, I am not inclined to grant bail to the petitioners. This petition is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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